

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-45 are pending in the application, with Claims 1, 2, 21, 22, 31, 39 and 42 being the independent claims.

The Examiner rejected Claims 1-45 under 35 U.S.C. §103(a) as being unpatentable over *Applicants' Admitted Prior Art* (hereinafter, *AAPA*) in view of U.S. Publication No. 2005/0047598 to *Kruegel* and U.S. Publication No. 2005/0047600 to *Newkirk*.

The Examiner contends that each element of the claims is taught, suggested or rendered obvious by the combination of *AAPA*, *Kruegel* and *Newkirk*. More specifically, the Examiner contends that *AAPA* teaches or suggests each element of Claim 1 with the exception of multicasting or broadcasting rekey materials from a base station to a group of subscribers by keeping track of a key schedule/cryptographic period so as to allow the base station to automatically update keys for a group of subscriber stations. The Examiner cites *Kruegel* and *Newkirk* in an attempt to remedy these deficiencies.

Claim 1 has been amended to overcome the rejections. Specifically, Claim 1 has been amended to recite that the predetermined time from the start time is managed by the base station and is less than a second predetermined time from the start time managed by the subscriber station. Expiration of the second predetermined time before reception of a new traffic encryption key at the subscriber station triggers a request for the new traffic encryption key at the subscriber station.

AAPA describes a system in which a subscriber station manages a TEK grace time in order to periodically update the TEK and thus receive a seamless and stable traffic service. *Kruegel* discloses a method for managing multiple cryptographic periods in a single cryptographic group. Specifically, *Kruegel* describes that a key management facility stores

cryptographic periods of each storage location number. A system cryptographic period is created based on the storage location number cryptographic periods.

While *Kruegel* describes the management of a time period away from a subscriber station, it fails to disclose how a specific predetermined time managed away from the subscriber station relates to another time managed by the subscriber station. Specifically, *Kruegel* fails to disclose that a predetermined time from a start time of an active lifetime of a current traffic encryption key is managed by the base station, and that the predetermined time is less than a second predetermined time from the start time that is managed by the subscriber station, as recited in amended Claim 1. Further, *Kruegel* fails to disclose that the expiration of the second predetermined time before reception of a new traffic encryption key triggers a request for the new traffic encryption key at the subscriber station, as recited in amended Claim 1. Thus, *Kruegel* fails to remedy the deficiencies of *AAPA*.

Newkirk describes the decryption of an encryption key, and also fails to remedy the deficiencies of *AAPA* described above. Therefore, amended Claim 1 is patentable over the combination of *AAPA*, *Kruegel* and *Newkirk*.

The Examiner also rejected independent Claims 2, 21, 22, 31, 39 and 42 under 35 U.S.C. §103(a). The Examiner has failed to address the claims individually in the Office Action. Under MPEP § 707.07(d), “[a] plurality of claims should never be grouped together in a common rejection, unless that rejection is equally applicable to all claims in the group.” Moreover, under 37 CFR § 1.104(c)(2), “The pertinence of each reference, if not apparent, must be clearly explained and *each rejected claim specified*.” (emphasis added). Consequently, the rejections are improper and, thus, if the next Office Action contains a rejection, it may not be made final.

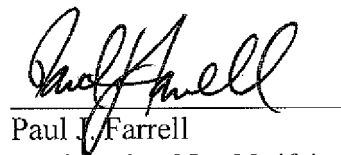
Claims 2, 21, 22 and 31 have been amended in a manner similar to that of Claim 1. Further, the combination of *AAPA*, *Kruegel* and *Newkirk* fails to teach, suggest or render obvious operation methods of a traffic encryption key state machine, as recited in Claims 39 and 42. In

view of the above, Claims 2, 21, 22, 31, 39 and 42 are also patentable over the combination of *AAPA*, *Kruegel* and *Newkirk*.

Regarding Claims 3-20, 23-30, 32-38, 40, 41 and 43-45, while not conceding the patentability of the dependent claims, *per se*, Claims 3-20, 23-30, 32-38, 40, 41 and 43-45 are also patentable for at least the above reasons. Accordingly, Applicants assert that Claims 1-45 are allowable over *AAPA*, *Kruegel*, *Newkirk*, or any combination thereof, and the rejection under 35 U.S.C. §103(a) should be withdrawn.

Accordingly, all of the claims pending in the Application, namely, Claims 1-45 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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